



**BOARD OF SELECTMEN
TOWN OF TEWKSBURY
TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876**

**TODD R. JOHNSON, CHAIRMAN
BRUCE PANILAITIS, Ph.D., VICE CHAIRMAN
MARK S. KRATMAN, CLERK
DAVID H. GAY
JAMES D. WENTWORTH**

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**MEETING MINUTES
JULY 14, 2015**

Chairperson Todd Johnson called the meeting to order at 7:06 p.m. Present for the Board of Selectmen meeting were Bruce Panilaitis, James Wentworth and Mark Kratman. Richard Montuori, Town Manager, was also present. David Gay and Attorney Charles Zaroulis were not present.

Executive Session—Collective Bargaining

The Chair called the meeting to order at 6:00 p.m. to conduct discussion on contract negotiations and collective bargaining matters. Because discussion of these matters in open session would be detrimental to the town's interest, the chair requested a motion to move to executive session.

MOTION: Mr. Kratman made the motion for the Board to enter into Executive Session; Mr. Panilaitis seconded the motion, and on a roll call vote Mr. Wentworth, Mr. Panilaitis, Mr. Kratman and Mr. Johnson vote in favor Mr. Gay was absent. The motion was unanimous at and moved to Executive Session at 6:01 pm.

MOTION: Mr. Panilaitis made the motion for the Board to exit Executive Session at 7:01 p.m.; Mr. Wentworth seconded, and on a roll call vote Mr. Wentworth, Mr. Panilaitis, Mr. Kratman and Mr. Johnson vote in favor for a unanimous vote.

The Chair opened the meeting for regular session at 7:06 p.m.

Mass DOT—Route 38

Mr. Mark Fedele of Massachusetts Department of Transportation and Mr. Norman Saucier of Bronx Industries were present to explain the project to renovate Route 38 from the Lowell/Tewksbury town line to Pike Street, Tewksbury.

Mr. Fedele explained the scope of the project is basic milling, paving, drainage improvement, curb and sidewalk work. The price for the project is \$1.64M. The completion date is scheduled for June 15, 2016, and the team is very confident the project will end on time. Mr. Fedele does not anticipate any issues in getting started and felt the project should go rather quickly.

Mandated contract hours are scheduled for 9 a.m. to 3 p.m. daytime; however the project is requesting a variance to those hours changing them to 8 p.m. to 5 a.m. as this will make the work easier and faster

with less traffic on the road and less impact to the businesses in the area. The project is scheduled to start at the end of July and the crew will begin milling.

The project will use the Department of Transportation (DOT) website for notifications to the public. Contact has been made with the Tewksbury Police Department, and they agreed to use reverse 911 or Code Red System to notify residents and businesses of any alerts since DOT does not have the capacity to notify all in the area.

The Selectmen have made it a priority to improve the functionality of Route 38 and so curbing is important to town. Mr. Fedele noted that most of the route is curbed and some of the spotting where curbing is needed will be fixed or installed. The DOT will replace handicapped ramps and cross walks, and whatever is possible for the asphalt curbs. Electronic signs will be put up at each end of the project site along Route 38 as well as at highway off ramps. The construction work week will be Sunday through Thursday. The work will begin at the Lowell town line and continue down to Pike Street. The project will also require B&M Railroad to inspect for safety and contract flaggers.

The Selectmen are very excited as this is the first time Route 38 has been resurfaced, and encouraged open to communication with their office and the project management team. The Selectmen also requested a monthly update and pledged their full support of this project.

Change of Manager—Disabled American Veterans Club, New Officers and Directors

Mr. Thomas R. Barry, was present for this matter. He has been managing the bar for the last couple months as the Board of Directors for the Disabled American Veterans Club formally voted him as the Bar Manager as of December 26, 2014, pending approval by the ABCC.

MOTION: Mr. Wentworth made the motion to approve the change of manager to be Thomas R. Barry as the bar manager for the Disabled American Veterans Club; Mr. Panilaitis seconded and the motion carried 4-0.

A formal list of officers was presented at the meeting to be the following:

Dan Murdoch, Commander (President)
Robert H. Miner, Jr. (Senior Vice Commander (Director)
Vincent Collura, Junior Vice Commander (Director)
Patrick Morrison, Treasurer
Patrick Morrison, Adjutant (Clerk)

MOTION: Mr. Kratman made the motion to accept the current list of officers as presented for the Disabled American Veterans Club; Mr. Panilaitis seconded and the motion carried 4-0.

Rail Trails—Report and Update

Pete Miller, Jayne Miller, Paige Impink and Sandra Campo were present to discuss this update with the Selectmen. Other members of the committee were not available this evening. The committee has a total of eight board members.

Mr. Miller thanked the Selectmen and previous Selectmen for their support on this project, and gave a special thanks to Nancy Reed.

Mrs. Miller gave the update presentation to the Selectmen. In December of 2012, the plans for this project were incepted. In May of 2013, town meeting voted to expend funds for a feasibility study. In September of 2014, the Rail Trails Committee partnered with a design consultant Fay, Spofford & Thorndike, Inc. (FST). Following this, in December of 2014, there was a public open house soliciting public input; and in March of 2014 the committee conducted public information session to view the project details.

FST has met with a number of abutters and has kept town employees informed of all concerns by residents. They are a recognized leader in trail projects and were involved in the Nashua River Rail Trail and the Cape Cod Rail Trail.

The feasibility study goal is to research abandoned rail road beds and investigate how to construct a multi-use trail connection, including the town center of Tewksbury, with green spaces and neighboring towns. The plan would be a phased implementation plan. The study process included an evaluation of the exiting site conditions; FST attending coordination meetings, and finally the development of a concept plan.

The proposed plan would start at the Lowell Line by Wal-Mart, cross Main Street, follow parallel along Main Street to the Senior Center, continue to move north of the State Hospital to Haggets Pond in Andover, circle back by Mitchell G. Drive, and then out to South Street to the Wilmington Town Line. A specific map of this description can be found on the town's website.

The public's preference for use of the trail was captured with the majority saying they would use it for walking and biking. The preferred surface for the trail is pavement/hard surface.

The concept plan included trail design, parking and access, at-grade crossing suggestions, on-road alternatives, and mitigation measures. A tremendous amount of detail is included in the study and will also be found on the town's website.

The proposed shared-use trail would be a 10-foot wide paved surface at a length of 1.75 miles with five road crossings. It would run from Capital Avenue to the Senior Center and this route will parallel Main Street. Parking would be provided at the Senior Center. Another part of the project will be a Greenway Trail with a soft stone dust surface primarily on the state hospital land heading out to Regina S. Drive. There would be five potential road crossings from Maple Street to South Street. A trail head would be installed at Maple Street and East Street along with parking, maps and markings to follow the trail. This would also allow the public to access the Bay Circuit Trails, which heads out to Haggets Pond. Many residents are not aware of this access and by installing this portion of the rail trail, it will open up allot of opportunities for access. There is a potential to connect behind Mitchell G. Drive but the area is very wet and would need an installed boardwalk. A boardwalk is a very expensive option and may cause some concerns with abutters. There is also an on-road accessible option should the boardwalk not but possible. The trail would continue onto Shawsheen Street via a trestle and then onto Regina S. Drive to South Street. This area is actively used by Krochmal Farms and would not easy to convert to the trail.

Estimated construction costs, including a 25% contingency fee are as follows:

- Phase 1: 10' wide, shared-use path
 - \$1.1M
- Phase 2A: Trailhead Parking Area
 - \$50K

- Phase 2B: On-Road Bike Route (Maple – Shawsheen)
 - \$16,000
- Phase 2C: 10' wide, Greenway (Shawsheen – Regina S)
 - \$125K
- Phase 2D: On-Road Bike Route (Regina S – South)
 - \$5K
- Phase 2E: On-Road Bike Route Trailhead (Senior Center)
 - \$10K

The proposal will give children access to walk to ball fields and soccer fields and access to the schools in the center of town (Wynn School, Ryan School and High School) as well as senior residents to access the Senior Center. The estimate does include boardwalk.

Funding sources would include the town's CPA Fund, Mass DOT, and non-profits like People for Bikes (approximately \$10,000); Safe Routes to School (less than \$500,000) and WalkBoston. There are a several funding sources to explore.

In order construct a portion of the trail on state hospital land, the committee will need to work with DCAM. They are currently in contact with Representative Miceli's office to facilitate this process. The committee understands it will be a process and representatives from the state hospital have been initially very receptive.

Next steps are to 1) continue discussions with abutters; 2) conduct a title search, which was approved at Town Meeting in 2015, and the committee is working with Town Engineer, Kyle Boyd; and 3) conduct a future Town Meeting vote for design and construction funding. The project may potentially need to acquire some of the land, which may be obtained by easements.

At this time the proposal ends at Wilmington, but if Wilmington can open a trail there would be more funding to increase expansion. The total mileage of the proposed trial is about 7 miles without the state hospital trails and Bay Circuit Trails. If the project can connect to a transportation source this would also create more funding.

The Selectmen asked about abutters support. Abutters are supportive of the concept but many don't want it in their back yard. This is also the reason to stop at Capital Avenue. Additionally, at Regina S. Drive the plan proposes an on-road option if needed.

The potential cost for the boardwalk is \$10,000 per 10 feet. The cost and maintenance plan is included in feasibility study.

The Selectmen asked if there are federal funds available for the project. The committee noted there are if you can show connectivity to other systems. These would be accessed through local agencies. The committee has not talked to Lowell but has talked to Andover and Billerica.

The committee is in communication with Police Safety Officer Welch, and has been invited to the traffic safety meeting at end of month. The committee is learning allot from other communities who have started the process; for instance, numbering trees to provide location point in an emergency. The trails will be wide enough for emergency vehicles, but will have barriers so not all areas can be accessed by vehicles. Concerning potential of crime, other community trails have not seen a rise in any incidents. Most of the complaints are around pet waste and liter.

Selectman Johnson inquired about FST, as it has been noted several times as a great partner, does the town evaluate work of consultants which could have weight on which partners the town will use in the future. Mr. Montuori noted it depends on how the town is using the business partner and has brought back architects that have been previously used due to good service. Tewksbury continues to look for good business partners.

Selectman Kratman noted it would be a good financial investment to connect rail trails to Bedford, Wilmington, and Billerica due to the potential of federal funding that could become available. He also noted that he has been to a number of meetings regarding trail and the initial fear of the trail in their backyard, but once the clean-up of the over growth happens and the trail becomes visible to the residents tension eases. Most complaints are graffiti, not crime statistics.

Sandra Campo noted that the cost to construct sidewalks would be a much larger then moving this project forward.

Residents

There were no residents present who wished to come forward to speak.

New Business

2015 Annual Appointments

Personnel Relations Review Board

MOTION: Mr. Wentworth made the motion to reappoint Mr. David Gay to the Personnel Relations Review Board as the Selectmen Representative for a one-year term from July 1, 2015 to June 30, 2016 as long as his appointment to the Board of Selectmen is in force; Mr. Panilaitis seconded and the motion carried 4-0.

Community Preservation Committee

MOTION: Mr. Kratman made the motion to reappoint Mr. James Wentworth to the Community Preservation Committee as the Selectmen Designee for a one-year term from July 1, 2015 to June 30, 2016 as long as his appointment to the Board of Selectmen is in force; Mr. Panilaitis seconded and the motion carried 4-0.

Local Housing Partnership

MOTION: Mr. Johnson made the motion to appoint Mr. James Wentworth to the Local Housing Partnership as the Selectmen Advisory Member for a one-year term from July 1, 2015 to June 30, 2016 as long as his appointment to the Board of Selectmen is in force; Mr. Panilaitis seconded and the motion carried 4-0.

Lowell Regional Transit Association Representative

The Selectmen previously appointed Mr. David Gay on June 9, 2015 as the representative for this association.

Personnel Relations Review Board, Selectmen Representative

MOTION: Mr. Panilaitis made the motion to appoint Mr. Steve Sadwick to the Personnel Relations Review Board as the Selectmen Representative for a one-year term from July 1, 2015 to June 30, 2016; Mr. Panilaitis seconded and the motion carried 4-0.

Scholarship & Education Fund Committee

Scholarship & Education Fund committee (not presently active) and the Selectmen tabled any discussion or votes on its members.

Town Center Master Plan Committee, Planning Board Representative

MOTION: Mr. Panilaitis made the motion to acknowledge Mr. Steve Johnson to the Town Center Master Plan Committee as the Planning Board Representative for a one-year term from July 1, 2015 to June 30, 2016 as long as his appointment to the Planning Board is in force; Mr. Kratman seconded and the motion carried 4-0.

Council on Aging

A Council on Aging position has been posted as Peg Keefe, the Selectmen Appointee, would like to terminate her service as of December 31, 2015. No applications have been submitted to date.

It was unclear of the Council on Aging appointees as listed have intention to continue their service on this committee. Mr. Montuori will follow-up. No votes were taken.

Economic Development Committee

Mr. Larry Sanford terminated his service as a Finance Committee member and is no longer eligible to participate as the Finance Committee Designee to the Economic Development Committee.

MOTION: Mr. Wentworth made the motion to acknowledge Mr. Paul McDermott to the Economic Development Committee as the Finance Committee Designee for a one-year term from July 1, 2015 to June 30, 2016 as long as his appointment to the Finance Committee is in force; Mr. Panilaitis seconded and the motion carried 4-0.

MOTION: Mr. Wentworth made the motion to appoint Mr. Bruce Panilaitis to the Economic Development Committee as the Selectmen Designee for a one-year term from July 1, 2015 to June 30, 2016 as long as his appointment to the Board of Selectmen is in force; Mr. Kratman seconded and the motion carried 4-0.

Finance Committee

No action was taken.

Historic Commission

Historic Commission the members should have staggered terms 1 year, 2 year, and 3 year expiration terms according to town charter to keep continuity. The Board requested letters to be sent to individuals currently serving to inquire about their interest in continuing and preference on length of service. At August meeting the Board will vote on terms once responses have been received. Members will continue to serve on the Historic Commission until they are replaced or reappointed. The Historic Commission has seven members and one member could be the Town Historian. A Warrant Article was also passed stating it is an annual requirement for the Town Historian to request (optional) the Historic Commission to be a member. Should the request be declined, the Board of Selectmen has the right to appoint or to fill the seat. Presently there is no record of this occurring and the Selectmen will advise this documentation be recorded.

MOTION: Mr. Kratman made the motion to send letters to the members of the Historic Commission and Town Historian requesting their intent to serve and preference of term; Mr. Wentworth seconded and the motion carried 5-0.

Local Housing Partnership

The Selectmen asked to confirm Ms. Melissa Maniscalco's intentions to serve as the Housing Authority Representative and also the date of appointment. This appointment was tabled to the August meeting.

Massachusetts Cultural Council

MOTION: Mr. Panilaitis made the motion to reappoint Ms. Erin Buckley, Mr. John Buckley and Ms. Patricia Stratis to the Massachusetts Cultural Council for a one-year term as of July 1, 2015 through June 30, 2016; Mr. Wentworth seconded and the motion carried 5-0.

NMCOG

MOTION: Mr. Kratman made the motion to reappoint Mr. David Gay to the Northern Middlesex Council of Governments (NMCOG) as the Selectmen Designee for a one-year term from July 1, 2015 to June 30, 2016 as long as his appointment to the Board of Selectmen is in force; Mr. Panilaitis seconded and the motion carried 4-0.

Planning Board Zoning Bylaw Subcommittee

The Selectmen were notified that the Planning Board Zoning Bylaw Subcommittee was dissolved on April 27, 2015.

Tewksbury Beautification Committee, Selectmen Representative

Tewksbury Beautification Committee currently has two vacancies; one resident vacancy by Sandra Wilson and the Selectmen Representative previously held by Scott Wilson.

MOTION: Mr. Panilaitis made the motion to appoint Mr. Mark Kratman to the Tewksbury Beautification Committee as the Selectmen Representative for a one-year term from July 1, 2015 to June 30, 2016 as long as his appointment to the Board of Selectmen is in force; Mr. Wentworth seconded and the motion carried 4-0.

Town Center Master Plan Committee, Selectmen Representative

MOTION: Mr. Wentworth made the motion to reappoint Mr. Bruce Panilaitis to the Tewksbury Town Center Master Plan Committee as the Selectmen Representative for a one-year term from July 1, 2015 to June 30, 2016 as long as his appointment to the Board of Selectmen is in force; Mr. Kratman seconded and the motion carried 4-0.

Vacancies on Finance Committee, Beautification Committee, Council on Aging; and an Associate member of Economic Development Committee are all available, and are being posted if not already posted. Interested parties should fill out applications. The Selectmen will exercise right to conduct interviews. Tabled positions will continue to operate as currently appointed until the positions are replaced.

St. Williams Conference—request road walk approval

A request for a 5K walk to be hosted by St. Vincent DePaul through St. Williams Church was presented. This request has been reviewed by police and fire safety and all have indicated no concerns. A traffic detail will appointed at a particular intersection.

MOTION: Mr. Panilaitis made the motion to approve the 5K Walk for St. Williams Church as presented; Mr. Wentworth seconded and the motion carried 4-0.

Town Manager

Regional Dispatch Center Update

In 2009, the Regional Risk Managers requested Northern Middlesex Council of Governments (NMCOG) to conduct a feasibility study for a Regional Emergency Dispatch Center. The communities included were Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsboro, and Westford. Later in 2009, NMCOG received a \$100,000 grant to look at the advantages of a regional 911 Center. Through this review a report was developed on the advantages and disadvantages of having a centralized dispatch center. After this report was published, Dracut, Lowell, Tewksbury and Chelmsford remain the only communities interested in continuing with a regional center.

Over the last year, discussions have intensified and NMCOG received another grant in amount of \$75,000 to review the implementation of a regional center. Mr. Montuori presented to the Selectmen

updated financials and noted the total savings to all communities would be \$1,068,058 and Tewksbury's savings would be \$348,000.

Mr. Montuori feels Regional Dispatch Center is the way to go as the Commonwealth is looking to move communities to this type of model for better efficiency and more up-to-date technology. The Commonwealth is also incentivizing communities and have begun to phase out grant funding for these projects. Essex and Devens have already implemented these centers. Tewksbury is facing a big decision to upgrade the dispatch center, along with other improvements. These upgrades, if implemented, will only last five-years. By going to a regional center, Tewksbury will avoid these costs and after careful review Mr. Montuori feels this is a good endeavor for the town. The managers are close to approving regional agreement and Mr. Montuori will have a final approval to the Selectmen in August. The chiefs are in support of this program.

It is likely towns will need to employ more into regional center. A potential location for the center could be at the DPW site in Tewksbury. There is the possibility to relocate Center Fire Station to the DPW site as all three entities, the Regional Dispatch Center, the Center Fire Station and the DPW could be housed at this location. Implementation will be two years away if the plan is approved. Mr. Montuori does not anticipate any local funding needed. All communities currently spend \$3.6M for dispatch annually. The cost after regionalization would be \$2.5M.

The Selectmen also asked if Tewksbury could get out of the contract if it is not working. Mr. Montuori noted it wouldn't be easy but a provision could be built in.

October Town Meeting

The October Town Meeting will be held on October 6, 2015 at 7 p.m. at Tewksbury Memorial High School.

MOTION: Mr. Panilaitis made the motion to approve the Special Town Meeting to be held on October 6, 2015 at 7:00 p.m. at the Tewksbury Memorial High School; Mr. Wentworth seconded and the motion carried 4-0.

MOTION: Mr. Panilaitis made the motion to open the Warrant for the Special Town Meeting starting on July 15, 2015 and closing on August 21, 2015 at 4:30 p.m.; Mr. Kratman seconded and the motion carried 4-0.

Other business

The Town received a grant from the Commonwealth and the Department of Energy Resources in the amount of \$210,739. This is the third grant received as part of being a Green Community. This money will fund variable frequency drives and lighting at the Town Library, LED lighting at Tewksbury High School, exterior lighting upgrades at the South Fire Station, LED lighting at the Ryan School and Food Pantry as well as HVAC control upgrades at the Food Pantry and the Senior Center.

Kyle Boyd has been doing an excellent job on grants. Collectively the town has received \$580,000 since becoming a Green Community. Credit for this goes to Steve Sadwick and all the Green Committee members. The grants have touched about every building in town with energy improvements. Job well done!

Outstanding Minutes: June 9, 2015 (regular & executive session); June 23, 2015 (regular session)

MOTION: Mr. Kratman made the motion to approve the minutes of June 9, 2015 (regular & executive session) and June 23, 2015 (regular session); Mr. Panilaitis seconded and the motion carried 4-0.

Board Member Reports

James Wentworth

- Community Preservation Committee will meet on July 16 at 7 p.m. to review town meeting proposals and updates on current projects

Mark Kratman

- Beautification Committee met on July 6th and they are happy to report the Switch Box Project is coming along very well; the Adopt An Island program is looking for more participants; and the committee has contacted Mass DOT for more areas along Route 38 to work on
 - Next meeting will be held on September 14th, and the public is welcome to attend
- Tewksbury Police Department Annual Night Out will be held on August 4th at 4:30 at the Senior Center

Bruce Panilaitis

- The Economic Development Committee and the Town Center Committee have not met and are currently in the process of scheduling a meeting date for end of July early August
- Town Center Master Plan would like to schedule time to update the Board of Selectmen

Todd Johnson

- Recognized efforts for the community fireworks on July 4th and expressed his appreciation on and appreciation on behalf of the Board of Selectmen

The next meeting will be held on August 18, 2015 at 7:00 p.m.; possible Executive Session at 5:00 p.m. and Interviews for Committee Applications at 6:00 p.m.

Adjournment

MOTION: Mr. Panilaitis made the motion to adjourn at 9:07 p.m.; Mr. Kratman seconded, and the motion carried 4 to 0.

Approved by the Board of Selectmen on August 18, 2015